

## REQUEST FOR REGULATION INTERPRETATION

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| Response Needed due to:<br><input type="checkbox"/> Policy/Regulation Interpretation<br><input type="checkbox"/> QC<br><input checked="" type="checkbox"/> Fair Hearing<br><input type="checkbox"/> Immediate Need/ Emergency Services<br><input type="checkbox"/> Other: | Priority Level:<br><input checked="" type="checkbox"/> High/Urgent <input type="checkbox"/> Medium <input type="checkbox"/> Low<br>Date of Request: 5/5/08<br>Need Response by: 5/30/08 |
| Requestor Name:                                                                                                                                                                                                                                                           | County:<br><b>Stanislaus</b>                                                                                                                                                            |
| Phone No:                                                                                                                                                                                                                                                                 | Subject:<br>Household Misfortune                                                                                                                                                        |
| Regulation Cite(s):<br>MPP 63-603.113, 7 CFR 274.6(b)(1)                                                                                                                                                                                                                  | References: (Include ACL/ACIN, court cases, etc. in references)                                                                                                                         |

**Note:** All requests must have a regulation cite(s) and/or references in question.

### CASE SCENARIO:

#1 Customer (owns their own home) states their refrigerator stopped working and the part needed had to be ordered from Canada. The customer lost the food contents of the refrigerator due to this incident.  
 #2 All household's "dry goods" were destroyed by insects.

### QUESTION:

Do these scenarios fall under the definition of "household misfortune"?

### PROPOSED ANSWER:

No, these scenarios do not meet the intention of household misfortunes/disasters. The Manual Policies and Procedures does not provide a definition for household misfortunes. However, the Code of Federal Regulations (7 CFR 274.6(b)(1) states "Household misfortunes such as mass power outages and floods would qualify under this waiver." The scenarios described above are a single incident (malfunction of the refrigerator) and not due to extenuating circumstances (e.g., power outages).

**FRAT RESPONSE:** All members disagree with the proposed response and believe that in the absence of a specific definition that these situations do constitute household misfortune and replacement of lost food is permitted.

| For FRAT Use             |                                      |                                     |
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| Date received:<br>5/5/08 | Date Responded to County:<br>5/12/08 | Date forwarded to State:<br>5/12/08 |